

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SWAB HAVING EASILY DISPLACEABLE TIP FOR COLLECTING A SALIVA SAMPLE AND INSERTING IT INTO A COLLECTION DEVICE, AND METHOD OF USING SAME

the specification of which

is attached hereto.

was filed on \_\_\_\_\_ as  
[ ] Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

<hr/> (Number)	<hr/> (Country)	<hr/> (Day/Month/Year Filed)	[ ] Yes	[ ] No
<hr/> (Number)	<hr/> (Country)	<hr/> (Day/Month/Year Filed)	[ ] Yes	[ ] No
<hr/> (Number)	<hr/> (Country)	<hr/> (Day/Month/Year Filed)	[ ] Yes	[ ] No

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.) (Filing Date)

(Application Serial No.) (Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Ser. No.) (Filing Date) (Status)  
(patented, pending, abandoned)

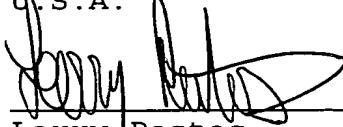
(Application Ser. No.) (Filing Date) (Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 25 APR 03  
Full name of sole/first inventor  
Residence  
Post Office Address  
Citizenship

  
Dale Pestes  
Gresham, Oregon  
4200 S.E. Troutdale Road  
Gresham, Oregon 97080  
U.S.A.

Dated: 25 APR 03  
Full name of joint inventor  
Residence  
Post Office Address  
Citizenship

  
Larry Pestes  
Boring, Oregon  
16007 S.E. Amisigger Road  
Boring, Oregon 97009  
U.S.A.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

Applicant : Dale Pestes

Group Art Unit:

Serial No.:

Examiner:

Filed : Concurrently Herewith

Title : SWAB HAVING EASILY DISPLACEABLE TIP FOR  
COLLECTING A SALIVA SAMPLE AND INSERTING  
IT INTO A COLLECTION DEVICE, AND METHOD OF  
USING SAME

**STATEMENT OF STATUS AS SMALL ENTITY**  
**IN ACCORDANCE WITH 37 CFR §1.27**

STATEMENT OF: Dale Pestes

I, the undersigned, hereby verify that:

I am:

- the inventor of the above-identified invention and I qualify as an independent inventor in accordance with 37 CFR §1.9(c)
- an individual assignee/licensee/owner of exclusive/nonexclusive rights in the above-identified invention and I would be classified as an independent inventor in accordance with 37 CFR §1.9(c) if I had made the above-identified invention
- the President of MML Diagnostics Packaging, Inc. and have authority to act on behalf of said Company, that said Company qualifies as a small business concern as defined in 37 CFR §1.9(d) in that the number of employees of said Company including those of its affiliates, as defined in 37 CFR §1.9(d), does not exceed 500 persons, and that said Company is the assignee of exclusive rights in the above-identified invention

AND that said Company has not assigned, granted, conveyed, or licensed any rights in the invention except to:

None

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AND that said Company is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention except to:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MML Diagnostics Packaging, Inc.

DATED: April 25, 2003

  
\_\_\_\_\_  
Dale Pestes

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Dale Pestes and Larry PestesApplication No./Patent No.: \_\_\_\_\_ Filed/Issue Date: July 8, 2003Entitled: SWAB HAVING EASILY DISPLACEABLE TIP FOR COLLECTING A SALIVA SAMPLE AND INSERTING ITINTO A COLLECTION DEVICE, AND METHOD OF USING SAMEMML Diagnostics Packaging, Inc., a Oregon Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or2.  an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document)  
must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be  
recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 8, 2003

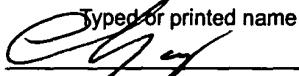
Date

(503) 227-5631

Telephone number

Charles D. McClung

Typed or printed name



Signature

Attorney for Applicant  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

Applicant : Dale Pestes

Group Art Unit:

Serial No.:

Examiner:

Filed :

Title : SWAB HAVING EASILY DISPLACEABLE TIP FOR  
COLLECTING A SALIVA SAMPLE AND INSERTING IT  
INTO A COLLECTION DEVICE, AND METHOD OF USING  
SAME

POWER OF ATTORNEY

I, Dale Pestes, declare that I am the President of MML Diagnostics Packaging, Inc., an Oregon corporation, and am authorized to execute this document on its behalf. MML Diagnostics Packaging, Inc. is the assignee of the entire right, title and interest in the above-referenced patent application and hereby appoints Jacob E. Vilhauer, Jr., Reg. No. 24,885, Charles D. McClung, Reg. No. 26,568, Dennis E. Stenzel, Reg. No. 28,763, Donald B. Haslett, Reg. No. 28,855, William O. Geny, Reg. No. 27,444, J. Peter Staples, Reg. No. 30,690, Nancy J. Moriarty, Reg. No. 40,733, Kevin L. Russell, Reg. No. 38,292, Timothy A. Long, Reg. No. 28,876, and Brenna K. Legaard, Reg. No. 51,077, all of the firm of CHERNOFF, VILHAUER, MCCLUNG & STENZEL, L.L.P., 1600 ODS Tower, 601 S.W. Second Avenue, Portland, Oregon 97204, telephone No. (503) 227-5631, its attorneys, jointly and individually, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 25 APR 03

  
\_\_\_\_\_  
Dale Pestes, President  
MML Diagnostics Packaging, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION EXAMINING OPERATIONS

Applicant : Dale Pestes Group Art Unit:  
Serial No.: Examiner:  
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Dated: 25 APR 03

Dale Pestes  
Dale Pestes, President  
MML Diagnostics Packaging, Inc.